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8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10 JEFFREY MOLNAR and WESLEY  
11 THORNTON, on behalf of  
12 themselves, all others similarly  
situated and the general public,

13 Plaintiffs,

14 vs.

15 NCO FINANCIAL SYSTEMS, INC.,  
a Pennsylvania Corporation,

16 Defendant.

CASE NO. 13cv131-JLS (JLB)

ORDER GRANTING JOINT MOTION  
TO EXTEND ALL SCHEDULED  
DATES BY 90 DAYS

[ECF Nos. 61, 80]

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18 Presently before the Court is the Joint Motion to Extend All Scheduled Dates By  
19 90 Days filed by the parties in this action. (ECF No. 80.) For good cause appearing,  
20 the Joint Motion is GRANTED. Accordingly, the dates and deadlines set for the  
21 Scheduling Order issued on January 29, 2014, (ECF No. 61), are hereby RESET as  
follows:

22 1. The parties shall disclose the identity of their respective experts *regarding*  
23 *class certification* in writing by **July 7, 2014**. The date for the disclosure of the  
24 identity of rebuttal experts *regarding class certification* shall be on or before **July 28,**  
25 **2014**. The written designations shall include the name, address and telephone number  
26 of the expert and a reasonable summary of the testimony the expert is expected to  
27 provide. The list shall also include the normal rates the expert charges for deposition  
28 and trial testimony. **The parties must identify any person who may be used at trial**

1 to present evidence pursuant to Fed. R. Evid. 702, 703 and 705, respectively. This  
2 requirement is not limited to retained experts.

3 2. On or before August 15, 2014, each party shall comply with the disclosure  
4 provisions in Rule 26(a)(2)(B) of the Federal Rules of Civil Procedure. **This disclosure**  
5 **requirement applies to all persons retained or specifically employed to provide**  
6 **expert testimony or whose duties as an employee of the part regularly involve the**  
7 **giving of expert testimony.**

8 3. Any party shall supplement its *class certification* disclosure regarding  
9 contradictory or rebuttal evidence under Rule 26(a)(2)(c) on or before August 29, 2014.

10 4. The parties shall disclose the identity of their respective experts *regarding*  
11 *merits* in writing by January 5, 2015. The date for the disclosure of the identity of  
12 rebuttal experts *regarding merits* shall be on or before January 26, 2015. The written  
13 designations shall include the name, address and telephone number of the expert and  
14 a reasonable summary of the testimony the expert is expected to provide. The list shall  
15 also include the normal rates the expert charges for deposition and trial testimony. **The**  
16 **parties must identify any person who may be used at trial to present evidence**  
17 **pursuant to Fed. R. Evid. 702, 703 and 705, respectively. This requirement is not**  
18 **limited to retained experts.**

19 5. On or before February 9, 2015, each party shall comply with the disclosure  
20 provisions in Rule 26(a)(2)(B) of the Federal Rules of Civil Procedure. **This disclosure**  
21 **requirement applies to all persons retained or specifically employed to provide**  
22 **expert testimony or whose duties as an employee of the part regularly involve the**  
23 **giving of expert testimony.**

24 6. Any party shall supplement its *merits-related* disclosure regarding  
25 contradictory or rebuttal evidence under Rule 26(a)(2)(c) on or before February 23,  
26 2015.

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1        7. **ALL discovery, including experts**, shall be completed by all parties on or  
 2 before **March 23, 2015**. “Completed” means that all discovery under Rules 30- 36 of  
 3 the Federal Rules of Civil Procedure, and discovery subpoenas under Rule 45, must be  
 4 initiated a sufficient period of time in advance of the cut-off date, so that it may be  
 5 completed by the cut-off date, taking into account the times for service, notice and  
 6 response as set forth in the Federal Rules of Civil Procedure. Counsel shall promptly  
 7 and in good faith meet and confer with regard to all discovery disputes in compliance  
 8 with Local Rule 26.1(a). All discovery motions shall be filed within 30 days after  
 9 counsel have met and conferred and reached an impasse with regard to any particular  
 10 discovery issue, **but in no event shall discovery motions be filed more than 30 days**  
 11 **after the close of discovery.**

12        8. Plaintiff shall file its motion for class certification on or before **September 23,**  
 13 **2014**. All other pretrial motions, including motions for summary judgment, must be  
 14 filed on or before **March 13, 2015**. (In intellectual property cases, this would include  
 15 claims construction hearings.) **Please be advised that counsel for the moving party**  
 16 **must obtain a motion hearing date from the law clerk of the judge who will hear**  
 17 **the motion.** Be further advised that the period of time between the date you request a  
 18 motion date and the hearing date may vary from one district judge to another. Please  
 19 plan accordingly. For example, you should contact the judge’s law clerk in advance of  
 20 the motion cut-off to calendar the motion. Failure to make a timely request a motion  
 21 date may result in the motion not being heard.

22        9. Counsel shall file their Memoranda of Contentions of Fact and Law and take  
 23 any other action required by Local Rule 16.1(f)(2) on or before **May 27, 2015**.

24        10. Counsel shall comply with the Pre-trial disclosure requirements of  
 25 Federal Rule of Civil Procedure 26(a)(3) on or before **May 27, 2015**.

26        12. Counsel shall meet and take the action required by Local Rule 16.1(f)(4) on  
 27 or before **June 3, 2015**.

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1 13. Objections to Pre-trial disclosures shall be filed no later than **June 10, 2015**.

2 14. The Proposed Final Pretrial Conference Order required by Local Rule  
3 16.1(f)(6) shall be prepared, served, and lodged on or before **June 10, 2015**.

4 15. The final Pretrial Conference is scheduled on the calendar of **Judge Janis**  
5 **L. Sammartino** on **June 18, 2015** at **1:30 p.m.** A trial date will be given at the Pretrial  
6 Conference.

7 16. A post trial settlement conference before a magistrate judge may be held  
8 within 30 days of verdict in the case.

9 IT IS SO ORDERED.

10  
11 DATED: April 10, 2014

  
JILL L. BURKHARDT  
United States Magistrate Judge